

REMARKS

Summary

This Amendment is responsive to the Advisory Action mailed on September 11, 2003 and is Supplemental to the Amendment After Final filed on September 2, 2003 in response to the final Office Action mailed on July 2, 2003. Claim 1 is amended. Claims 1-27 are pending.

Claims 1-27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Moore (US 6,330,575).

Applicants respectfully traverse these rejections in view of the amended claims and the following comments.

Discussion of Amended Claim

Claim 1 is amended to clarify that the consolidated invoice is for a plurality of offerings ordered by a plurality of members of that organization during a predetermined time period.

Discussion of Moore

Moore discloses a method for designing a web page for use in a distributed electronic commerce system (Col. 3, lines 31-33). In a distributed electronic commerce system as disclosed by Moore, the functions of the transaction server are, by definition, separated from those of the web storefront and the inventory and financial database (Col. 4, lines 43-46).

In contrast, with the present invention, each step of the electronic transaction is handled by an intermediary, which electronically processes the orders from the members,

communicates the selected offerings to the service provider, and provides the organization with a consolidated invoice for a plurality of offerings ordered by a plurality of its members during a predetermined time period.

The purpose of the intermediary of the present invention is to facilitate the entire transaction by: (1) providing a searchable database maintained by an intermediary of service providers and their offerings, (2) enabling the members to select a service provider from the database maintained by the intermediary, (3) allowing members to order an offering from the database maintained by the intermediary by selecting it from the database, (4) enabling the members to electronically communicate the order to the intermediary along with the billing information for the order, (5) electronically storing the billing information at the intermediary, (6) electronically communicating the orders from the intermediary to the service provider, and (7) after a predetermined time period, providing a consolidated invoice from the intermediary to the organization for a plurality of orders ordered by a plurality of its members during that time period.

Moore does not disclose or remotely suggest an intermediary which handles each step of the process as claimed by Applicants.

Further, Moore does not disclose or remotely suggest providing a consolidated invoice from the intermediary to an organization for a plurality of offerings ordered by a plurality of members of that organization during a

predetermined time period, as set forth in Applicants' amended claim 1.

In the Advisory Action, the Examiner indicates that "one offering meets Applicant's claim language regarding 'offerings'. Thus, a consolidated invoice would need be but one bill." Applicants' respectfully disagree with the Examiner's reading of Applicants' claim and submit that by definition, a consolidated invoice is a combination of more than one invoice. However, to clarify Applicants' claim language, claim 1 is amended herein to specify that the consolidated invoice is provided to an organization for a plurality of offerings ordered by a plurality of members of that organization during a predetermined time period.

Moore discloses that each customer is billed at the conclusion of each order (Col. 5, lines 10-26). In other words, Moore discloses a one-to-one correlation between an order and an invoice. In contrast, in Applicants' system, the consolidated invoice is for a plurality of offerings ordered by a plurality of members. Therefore, with Applicants' invention, there is a many-to-one correlation between orders and an invoice. As the invoice of Moore includes only a single order, it is not a consolidated invoice which includes a plurality of orders from a plurality of members, as claimed by Applicants.

Further, the consolidated invoice of the present invention includes all orders made by the members during a predetermined time period. In contrast, Moore discloses that billing is performed at the time the transaction is concluded and includes only the order made at that time.

Since Applicants' consolidated invoice is for a plurality of offerings ordered by a plurality of members during a predetermined time period, the consolidated invoice may include many orders made by different members from a single restaurant on the same or separate days, many orders from multiple restaurants on the same or separate days, or a combination thereof. The advantage to receiving a consolidated invoice as provided by the present invention is that the organization need only pay the single invoice, rather than deal with multiple invoices from a single restaurant or multiple invoices from multiple restaurants. The system of Moore does not provide these advantages.

Moore does not disclose or remotely suggest Applicant's claimed invention. With the present invention, the intermediary provides a centralized resource in the form of an online searchable database for a member, such as an employee of a corporation, to order goods or services, such as meals, from a service provider, such as a restaurant. The intermediary also absorbs payment, collection and invoicing functions on behalf of the organizations and service providers. The distributed system of Moore does not provide any of the forgoing advantages of the present invention.

Applicants respectfully submit that the present invention would not have been obvious to one skilled in the art in view of Moore, taken alone or in combination with any of the other prior art of record.

Further remarks regarding the asserted relationship between Applicants' claims and the prior art are not deemed necessary, in view of the amended claims and the foregoing

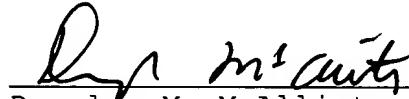
discussion. Applicants' silence as to any of the Examiner's comments is not indicative of an acquiescence to the stated grounds of rejection.

Withdrawal of the rejections under 35 U.S.C. § 103(a) is therefore respectfully requested.

Conclusion

The Examiner is respectfully requested to reconsider this application, enter the present amendment, allow each of the pending claims and to pass this application on to an early issue. If there are any remaining issues that need to be addressed in order to place this application into condition for allowance, the Examiner is requested to telephone Applicants' undersigned attorney.

Respectfully submitted,



Douglas M. McAllister
Attorney for Applicant(s)
Registration No.: 37,886
Law Office of Barry R. Lipsitz
755 Main Street
Monroe, CT 06468
(203) 459-0200

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